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HORIZON LINES, LLC.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11	ABDUL RAHMAN ABOOBAKER	)	Case No.
12	MUNASSAR	)	C 05-4350 JL
12	Plaintiff,	)	STIPULATION AND <del>proposed</del> ORDER TO
	vs.	)	EXTEND TIME TO COMPLETE EARLY
13	HORIZON LINES, Inc.	)	NEUTRAL EVALUATION.
14	Defendants.		

14 WHEREAS this subject action involves a merchant mariner's claims for personal  
15 injury related damages and is set for trial to commence on November 13, 2006, and

16 WHEREAS, the plaintiff has and continues to reside in Yemen and has neither  
17 been deposed by the defendant nor examined by a medical expert designated by the  
18 defendant; further, other witnesses are seafarers and need to be deposed when such are  
19 available to do so, and

20 WHEREAS, plaintiff has served records of his medical treatment in California  
21 and in Yemen, and

22 WHEREAS, the parties respectfully contend that there exists Good Cause to  
23 continue the deadline for conducting an ENE from May 23, 2006 and that it would be in  
24 the interests of justice and judicial economy to do so (F.R.Civ.P. 1); and

1 WHEREAS, the Early Neutral Evaluator assigned to this action concurs in the  
2 efficiency to be gained by continuing the deadline to complete ENE,

3 NOW, THEREFORE, the parties stipulate, by and through their respective  
4 attorneys of record authorized to do so, that the Honorable Court may enter its Order  
5 Extending the date to Complete ENE as appears below, and the parties respectfully  
6 request that this Honorable Court issue such an order.

7 DATED: May 18, 2006 SO STIPULATED,  
8 s/ Arnold Berschler  
9 Arnold I. Berschler, attorney for  
10 ABDULRAHMAN ABOOBAKER MUNASSAR

11 DATED: May 18, 2006 SO STIPULATED,  
12 s/ Harvey I. Wittenberg  
13 Harvey I. Wittenberg attorney for  
14 HORIZON LINES, INC.

15 ORDER EXTENDING THE DATE TO COMPLETE ENE

16 Upon review of the foregoing Stipulation and Good Cause and the interests of  
17 justice otherwise appearing,

18 IT IS ORDERED THAT the deadline to compete the Early Neutral Evaluation in  
19 the action is extended to August 11, 2006.

20 DATED: 5/22/06

SO ORDERED,

